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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX ) MDL CASE NO.: 05-CV-1699  
MARKETING SALES PRACTICES AND )  
PRODUCT LIABILITY LITIGATION )

ANNEN, et al., ) CASE NO. CGC-06-456869  
MDL Case No. 07-0953 CRB

Plaintiffs, ) STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE  
vs. ) AS TO PLAINTIFF DOMANICK GESVALLI

PFIZER, INC., et al. )  
Defendants. )

COME NOW, Plaintiff DOMANICK GESVALLI and Defendants PFIZER, INC., et al.,  
by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF DOMANICK GESVALLI**

1 41(a), and hereby stipulate to the dismissal of Plaintiff DOMANICK GESVALLI from this  
2 action, with prejudice, each side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5  
6 Dated: September 29, 2009

**KABATECK BROWN KELLNER LLP**

7  
8 By: 

Brian S. Kabateck, Esq.

9 Attorneys for Plaintiff DOMANICK GESVALLI

10  
11 Dated: October 27, 2009

**DLA PIPER LLP**

12  
13 By: /s/

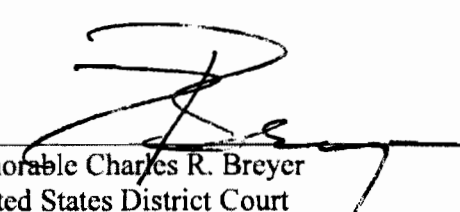
Matthew A. Holian

14 Attorney for Defendants PFIZER, INC., et al.

15  
16 **ORDER**

17  
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20  
21 Dated: OCT 29 2009

  
22 Honorable Charles R. Breyer  
23 United States District Court  
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